

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

GUY SHANNON, JR. #201-038

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Plaintiff

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v

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Civil Action No. ELH-11-3689

DEPARTMENT OF PUBLIC SAFETY  
and CORRECTIONAL SERVICES, et al.

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Defendants

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**MEMORANDUM**

Guy Shannon, Jr., an inmate at Patuxent Institution, filed this prisoner civil rights complaint under 42 U.S.C. § 1983. As best as can be discerned, Shannon alleges: 1) Dr. Dash ordered mental health nurse Liz to inject him with Haldol to which Shannon is allergic; 2) Dr. Itkowitz refused to transfer Shannon to a hospital thereafter; 3) Dr. Taler refused to take him off medication that was causing him pain; 4) Psychologists Shoeman and Miller discriminated against him because he is gay and told him he does not need to be at Patuxent; 5) he was improperly placed in segregation housing for refusing a housing order; 6) he is unable to access the prison library; and 7) he is refused religious services and kosher meals. Shannon also seeks a temporary restraining order preventing his transfer from Patuxent Institution to another Department of Correction facility. Shannon presents no claims against the other defendants listed in the caption of the complaint. Therefore, the Court will direct the filing of responses only on behalf of Warden Goins Johnson, CMS Medical, Dr. Dash, Nurse Liz, Dr. Itkowitz, Psychologist Shoeman, Psychologist Miller, and Dr. Taler.

Shannon's motions for preliminary injunctive relief (ECF No. 3) and a restraining order (ECF No. 4) to prevent to his transfer from Patuxent Institution to another facility will be denied.

A preliminary injunction is an extraordinary and drastic remedy. *See Munaf v. Geren*, 553 U.S. 674, 689-90 (2008). For such relief, a movant must demonstrate: 1) that he is likely to succeed on the merits; 2) that he is likely to suffer irreparable harm in the absence of preliminary relief; 3) that the balance of equities tips in his favor; and 4) that an injunction is in the public interest. *See Winter v. Natural Resources Defense Council, Inc.*, 5 U.S. 7, 20 (2008); *The Real Truth About Obama, Inc. v. Federal Election Commission*, 575 F.3d 342, 346 (4<sup>th</sup> Cir. 2009), vacated on other grounds, \_\_\_U.S. \_\_\_, 130 S.Ct. 2371 (2010), reinstated in relevant part on remand, 607 F.3d 355 (4<sup>th</sup> Cir. 2010) (per curiam).

Shannon states that he feels safe at Patuxent and asserts that would face a risk of harm at other DOC facilities. He states that he needs mental health treatment and keeps thinking about hurting himself.

Inmates do not have a constitutional right to placement in a particular prison or security classification. *See Slezak v. Evatt*, 21 F.3d 590 (4th Cir.1994) (the Constitution vests no liberty interest in inmates retaining or receiving any particular security or custody status as long as the conditions or degree of confinement is within the sentence imposed). Apart from Shannon's own conclusory allegations, he fails to explain, much less demonstrate, that he is likely to suffer irreparable harm without emergency injunctive relief. Moreover, this is the third time in approximately six months that Shannon, a frequent self-represented litigant in this court, has sought emergency injunctive relief for various claims. *See Shannon v. Department of Public Safety and Correctional Services, et al.*, Civil Action No. ELH-11-1830, and *Shannon v. Patuxent Institution, et al.*, Civil Action No. ELH-11-3709.

By separate Order, the court will grant Shannon leave to proceed in forma pauperis and direct counsel to respond to Shannon's claims against Warden Goins Johnson, Dr. Dash, Nurse Liz, Dr. Itkowitz, Psychologist Shoeman, Psychologist Miller, Dr. Taler, and CMS Medical. The remaining defendants will be dismissed, as no claims are presented against them. *See* F. R. Civ. P. 8; *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 570 (2007). Shannon's motions for injunctive relief and a restraining order will be denied.

January 31, 2012  
Date

/s/  
Ellen L. Hollander  
United States District Judge